

Sent via USPS  
First Class Mail

August 6, 2013

United States District Court  
for the Eastern District of North Carolina  
Office of the Clerk  
c/o PO Box 25670  
Raleigh, North Carolina. [27611]

**RECEIVED**

AUG 12 2013 *Am*

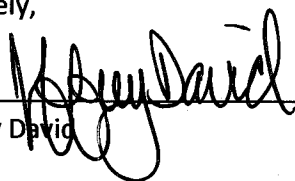
**JULIE A. RICHARDS, CLERK  
US DISTRICT COURT, EDNC**

RE: Jeffrey David v. Timothy Franz GEITHNER  
Case 5:12-CV-185-D

Dear Clerk,

Please add the attached copy of correspondence sent to TIGTA dated August 6, 2013 to my case jacket referenced above. Thank you.

Sincerely,

 (Seal)  
Jeffrey David

Notice to Agent is Notice to Principal;  
Notice to Principal is Notice to Agent

August 6, 2013

J. Russell GEORGE, as Inspector General  
Office of the Treasury Inspector General for Tax Administration (TIGTA)  
City Center Building  
c/o 1401 H Street, NW Suite 469  
city of Washington, District of Columbia. [20005]

Sent via USPS Certified Mail  
#7011 1570 0001 0630 3902

RE: TIGTA Case Number: 55- C  
[the] JEFFREY DAVID LINK  
SS#:

Dear J. Russell GEORGE,

I am writing your office to follow up on an ongoing issue initially brought to your attention on April 12, 2013 via written correspondence received by your office on April 24, 2013.

On April 12, April 23, and May 7, of the current calendar year I submitted copies of tax filings for calendar years 2010, 2011, and 2012 invoking your office to act as witness to oversee the same tax filings submitted to the IRS for the account name and number referenced above. The filings for each calendar year were sent to your office via USPS Certified Mail numbers 7011 1570 0000 5626 1796 for calendar year 2010; 7011 1570 0001 0630 4046 for calendar year 2011; and 7011 1570 0001 0630 4053 for calendar year 2012.

Since that time I received additional correspondence from the Internal Revenue Service (IRS) claiming my position of to be frivolous and that if not corrected within 30 days penalties would ensue (see attached Exhibits A1, A2, and A3). As a result of continued threats of penalty action I felt coerced into submitting new filings for all calendar years absent my lawful money demands which included full return of the use of intangible money in the form of demanded lawful money per Title 12 U.S.C. §411. Having done so, I do not waive my legal right to make my demand for lawful money, but did so for the time being to be at peace with the IRS and to avoid further conflict.

As referenced in their correspondence they claim the position taken for the original filings were frivolous and there is no basis in law to support my position. They included Notice 2010-33, 2010-17 I.R.B., April 26, 2010, pp. 609-612 (attached herein as Exhibit A4) and [www.irs.gov/pub/irs-utl/friv\\_tx.pdf](http://www.irs.gov/pub/irs-utl/friv_tx.pdf). I have scoured this notice along with relevant case law and no where do I find that making a demand for lawful money per Title 12 U.S.C. §411 is a "frivolous position."

I also do not find where Title 12 U.S.C. §411 is a respecter of persons; and, it is my express intent to only make a use of lawful money of the United States by making a demand for lawful money in accord with Title 12 U.S.C. §411 in agreement with Title 12 U.S.C. §95a(2). Further, it is my express intent to abide by the law to always provide a full accounting to the IRS of my lawful money demands to help them balance the books for the account name and number referenced above.

I have been making my demand for lawful money since 2010 with the express intent to remain outside the Federal Reserve Districts and to use lawful money of the United States Districts.

Proof of my intent to help settle this issue is evidenced by written correspondence sent to the IRS during calendar year 2011 pertaining to the 2010 tax filing. On two occasions I requested the IRS have one of their agents contact me regarding the conflict they thought existed to settle the issues in a timely manner. The first correspondence was sent August 12, 2011 to the attention of Maureen Green in Ogden, Utah, via USPS Registered Mail # RE 679 499 215 US, where I wrote:

*"I am absent claim to delay or impede any Federal Tax Laws; rather , it is my express intent to settle the issues....If it would be a benefit to you and your agency to review all transactions conducted during 2010 for [the] JEFFREY DAVID LINK please have one of your agents who is familiar with Title 12 U.S.C. §411 and Lawful Money contact me via telephone at (919) 414 o schedule a meeting at an independent, third-party location, or by writing with correspondence to: Jeffrey David LINK, c/c [27608]."*

The second correspondence was sent October 21, 2011 to the attention of Maureen Green in Ogden, Utah, via USPS Registered Mail #RE 679 500 126 US. Both requests were met with silence.

Recently, a third correspondence (attached herein as Exhibit A5) was mailed to your office along with several IRS campuses, including Kansas City, Missouri with zip codes [64999-0010], [64999-0030], and [64121-9236]; and Ogden, Utah with zip codes [84201-0040] and [84404-0040]; and Raleigh, North Carolina [27609]. All have been met with silence.

**I believe my position is lawful and righteous. It has never been nor will it ever be my intent to file a frivolous return. I speak the truth, I lie not. I wish to live absent trespass any person or agency as a peaceful, non-combative inhabitant on dry land. At any time I would be more than happy to meet with an agent of the IRS or Department of the Treasury to review my books for the account referenced above. Contact information has been provided. If this communication has been sent to you in error or if you are not the correct person to handle this matter, then please forward it to the proper person.**

Thank you for your consideration of this matter and I await your response.

In the name of Yehoshua, son of Yehovah, my redeemer, my Savior and in whom I trust I am Jeffrey David acting in and for [the] JEFFREY DAVID LINK, and demand is made for lawful money per Title 12 U.S.C. §411 and absent accommodation and absent surety by:

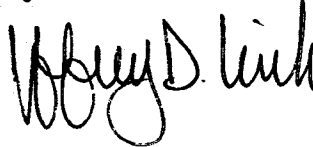


EXHIBIT A1



Department of the Treasury  
Internal Revenue Service

1973 N Rulon White Blvd M/S 4210  
Ogden UT 84404-0040

In reply refer to:

July 03, 2013 LTR 3176C 0

201012 30

Input Op:

00031066

BODC: SB

JEFFREY D LINK

27608-2420

REFUSAL  
FOR  
CAUSE

Taxpayer Identification Number:

Form: 843

Tax Period(s): Dec. 31, 2010

Employee Identification Number: 1000099691 M/S 4450

Contact Telephone Number: 866-883-0235

Contact Fax Number: 801-620-2391

Dear Taxpayer:

You recently filed a return or purported return claiming one or more frivolous positions. If not immediately corrected, the Internal Revenue Service will assess a \$5,000 penalty against you. You can correct the problem and avoid the penalty if you submit a corrected return within 30 days of this letter to the address listed above.

If you continue to submit documents asserting frivolous positions, we will assess the \$5,000 penalty each time you submit a frivolous return. If you file a joint return, we will assess the \$5,000 penalty against both you and your spouse. Internal Revenue Code section 6702 provides the IRS with the authority to assess the penalty.

#### WHY WE ARE CONTACTING YOU

Based on Section 6702, Frivolous Tax Submissions, we have determined the information you filed as a tax return, or purported tax return, on Apr. 07, 2013 is frivolous and there is no basis in the law for your position.

Federal courts, including the Supreme Court of the United States, have considered positions such as yours and repeatedly rejected them as without merit. The enclosed Publication 2105, Why do I have to Pay Taxes?, includes examples of frivolous positions and arguments regarding the U.S. tax system under the heading "Don't Fall for These Arguments." Some of these examples include:

- Arguing that filing and paying taxes is voluntary.
- Excluding salaries and/or wages from income based on the argument that the value of services is not taxable or that salaries and/or wages are not income.
- Arguing that the requirement to file a tax return violates

# EXHIBIT A.1 (CONT)

July 03, 2013 LTR 3176C 0  
201012 30  
Input Op: 1 00031067

JEFFREY D LINK

27608-2420

REFUSAL  
FOR  
CAUSE

Constitutional rights protecting taxpayers against self-incrimination.

- Submitting a claim for a refundable credit when there is no basis in law for the credit, such as a credit for reparations for slavery, or frivolous Forms 2439, 1099, or 4136 (fuel tax credit), or showing excessive withholding on your return.
- Submitting a document that purports to be a tax return but is not properly signed or contains an altered jurat (the written declaration that verifies that a return, declaration, statement or other document is made under penalties of perjury).

These are just some examples. For more information on positions identified as frivolous under section 6702, see Notice 2010-33, 2010-17 I.R.B., April 26, 2010, pp. 609-12, which can be found on the Internal Revenue Service's website at [www.irs.gov](http://www.irs.gov) (See Notice 2010-33 at [http://www.irs.gov/irb/2010-17\\_IRB/ar13.html](http://www.irs.gov/irb/2010-17_IRB/ar13.html)). If you do not have a computer, you can access Notice 2010-33 in the Internal Revenue Bulletin (I.R.B.), which is the IRS's authoritative publication of rulings and statements of procedure. Consult a law library to obtain the I.R.B. You can find additional information in a publication titled The Truth About Frivolous Arguments, available on-line only at [http://www.irs.gov/pub/irs-utl/friv\\_tax.pdf](http://www.irs.gov/pub/irs-utl/friv_tax.pdf)

As stated above, we are proposing to assess a \$5,000 penalty against you for each frivolous tax return or purported tax return that you filed.

## WHAT YOU NEED TO DO

To avoid the penalty, send us a corrected return for each taxable period in the heading of this letter within 30 days of the date of this letter. If you send us corrected returns, we will disregard the previous documents that you filed and not assess the frivolous tax return penalty for each corrected return filed.

Please attach this letter to your corrected return(s) and mail to the address shown at the top of this letter. We have enclosed a copy of this letter for your records and an envelope for your convenience.

## WHAT IF YOU DO NOT SEND A CORRECTED RETURN?

If you do not file the corrected return(s) within 30 days of the date of this letter, or if you submit additional documents

EXHIBIT A1 (CONT)

July 03, 2013 LTR 3176C 0

201012 30

Input Op:

00031068

JEFFREY D LINK

27608-2420

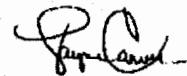
REFUSAL  
FOR  
CAUSE

asserting a frivolous position, we will assess the \$5,000 penalty for each frivolous tax return or purported return containing a frivolous position and send you a bill. If you filed a joint frivolous return, both you and your spouse will be assessed a \$5,000 penalty. We will not respond to any future correspondence asserting any frivolous position.

In addition, if we do not hear from you within the 30 day timeframe, we may issue a notice of deficiency for any taxes owed because of the frivolous submission or because of other items we may find during an examination. A notice of deficiency states the amount of additional tax and penalties you owe and explains your right to contest the deficiency by filing a petition with the United States Tax Court. The \$5,000 frivolous filing penalty is not included on the notice of deficiency and cannot be contested in the Tax Court.

We have enclosed Publication 2105, Why Do I Have to Pay Taxes?, which provides basic information about the tax system. We also encourage you to seek advice from a competent tax professional or a tax attorney qualified to practice in your state.

Sincerely yours,



Layne Carver  
Operations Mgr., Exam SC Support

Enclosure(s):  
Copy of this letter  
Publication 2105  
Envelope

For assistance, call:

1-866-883-0235

Your Caller ID: 139702

Notice Number: CP72

Date: July 8, 2013

Taxpayer Identification Number:

Tax Form: 1040

Tax Year: December 31, 2011



Department of the Treasury

Internal Revenue Service

1973 N Rulon White Blvd Stop 4450

Ogden, UT 84404-0076

000878.200385.0004.001 1 MB 0.405 538



JEFFREY D. LINK

27608-2420

REFUSAL  
FOR  
CAUSE

000878

We have determined that the purported tax return you sent is frivolous and your position has no basis in law. Any tax refund associated with this frivolous claim will not be issued.

Claims such as yours have been considered and repeatedly rejected as without merit by the federal courts - including the United States Supreme Court. Therefore, we will not respond to future correspondence concerning these issues. Our lack of response to further correspondence does not in any way convey agreement or acceptance of the arguments advanced. If you intend to persist in making such arguments, we encourage you to seek advice from a reputable tax practitioner or attorney.

Please be advised that people who violate the tax laws may be subject to federal criminal prosecution and imprisonment. Information about the IRS's criminal enforcement program is available on the internet at <http://www.irs.gov>-key word: fraud. IRS Publication 2105, Why Do I Have to Pay Taxes? can be obtained from <http://www.irs.gov/pub/irs-pdf/p2105.pdf>. We also refer you to a document entitled, The Truth About Frivolous Tax Arguments found at [http://www.irs.gov/pub/irs-utl/friv\\_tax.pdf](http://www.irs.gov/pub/irs-utl/friv_tax.pdf). You may obtain copies of these documents from your local IRS office.

This notice advises you of the legal requirements for filing and paying federal individual income tax returns. The Internal Revenue Code sections listed below expressly authorize IRS employees that act on behalf of the Secretary of the Treasury to: 1.) examine taxpayer books, papers, records, or other data which may be relevant or material; 2.) issue summonses in order to gain possession of records so that determinations can be made of the tax liability or for ascertaining the correctness of any return filed by that person; and 3.) collect any such liability.

#### General Information on Filing Requirement

##### Title 26, United States Code

- Section 6001 Notice or regulations requiring records, statements, and special returns
- Section 6011 General requirement of return, statement, or list
- Section 6012 Persons required to make returns of income
- Section 6109 Identifying numbers
- Section 6151 Time and place for paying tax shown on returns
- Section 6301 Collection authority
- Section 6321 Lien for taxes
- Section 6331 Levy and distraint
- Section 7602 Examination of books and witnesses

## EXHIBIT A2 (cont)

INTERNAL REVENUE CODE SECTION 6702 (FRIVOLOUS INCOME TAX RETURN) PROVIDES:

### CIVIL PENALTY - If -

- (1) any individual files what purports to be a return of the tax imposed by subtitle A but which -
  - (A) does not contain information on which the substantial correctness of the self-assessment may be judged, or
  - (B) contains information that on its face indicates that the self-assessment is substantially incorrect; and
- (2) the conduct referred to in paragraph (1) is due to -
  - (A) a position which is frivolous, or
  - (B) a desire (which appears on the purported return) to delay or impede the administration of Federal income tax laws, then such individuals shall pay a penalty of \$5,000.00.

**PENALTY IN ADDITION TO OTHER PENALTIES** - The penalty is imposed by subsection (a) shall be in addition to any other penalty provided by law.

Revenue Procedure 68-12, 1968-1 C.B. 763 does not allow appeals procedures in cases of failure or refusal to comply with tax laws because of moral, religious, political, constitutional, conscientious, or similar grounds. The Internal Revenue service does not have the authority to consider such grounds in administering the Federal income tax laws. If you request an appeal, a hearing, or a meeting to disagree with any examination action based solely upon one of these arguments, you will not be given consideration.

### What You Need To Do Now

File a corrected, non-frivolous tax return within 30 days from the date of this letter to avoid assessment of the frivolous income tax return penalty.

### What Happens If You Don't Reply

The potential consequences of the position you have taken include imposition of the IRC Section 6702 penalty for each return filed that contains a frivolous position. In addition, if we do not hear from you within 30 days from the date of this letter, a notice of deficiency may be issued. A notice of deficiency is a legal notice to a taxpayer stating the amount of taxes and penalties owed.

REFUSAL  
FOR  
CAUSE



EXHIBIT A3



Department of the Treasury  
Internal Revenue Service

1973 N Rulon White Blvd M/S 4210  
Ogden UT 84404-0040

In reply refer to:

June 20, 2013 LTR 3176C 0  
201212 30

Input Op: 00036868

BUUC: WI

JEFFREY D LINK

27608-2420

REFUSAL  
FOR  
CAUSE

Taxpayer Identification Number:

Form: 1040

Tax Period(s): Dec. 31, 2012

Employee Identification Number: 1000099691 M/S 4450

Contact Telephone Number: 866-883-0235

Contact Fax Number: 801-620-2391

Dear Taxpayer:

You recently filed a return or purported return claiming one or more frivolous positions. If not immediately corrected, the Internal Revenue Service will assess a \$5,000 penalty against you. You can correct the problem and avoid the penalty if you submit a corrected return within 30 days of this letter to the address listed above.

If you continue to submit documents asserting frivolous positions, we will assess the \$5,000 penalty each time you submit a frivolous return. If you file a joint return, we will assess the \$5,000 penalty against both you and your spouse. Internal Revenue Code section 6702 provides the IRS with the authority to assess the penalty.

#### WHY WE ARE CONTACTING YOU

Based on Section 6702, Frivolous Tax Submissions, we have determined the information you filed as a tax return, or purported tax return, on May 30, 2013 is frivolous and there is no basis in the law for your position.

Federal courts, including the Supreme Court of the United States, have considered positions such as yours and repeatedly rejected them as without merit. The enclosed Publication 2105, Why do I have to Pay Taxes?, includes examples of frivolous positions and arguments regarding the U.S. tax system under the heading "Don't Fall for These Arguments." Some of these examples include:

- Arguing that filing and paying taxes is voluntary.
- Excluding salaries and/or wages from income based on the argument that the value of services is not taxable or that salaries and/or wages are not income.
- Arguing that the requirement to file a tax return violates

# EXHIBIT A3 (CONT)

June 20, 2013 LTR 3176C 0

201212 30

Input Op:

1 00036869

JEFFREY D LINK

27608-2420

REFUSAL  
FOR  
CAUSE

Constitutional rights protecting taxpayers against self-incrimination.

- Submitting a claim for a refundable credit when there is no basis in law for the credit, such as a credit for reparations for slavery, or frivolous Forms 2439, 1099, or 4136 (fuel tax credit), or showing excessive withholding on your return.
- Submitting a document that purports to be a tax return but is not properly signed or contains an altered jurat (the written declaration that verifies that a return, declaration, statement or other document is made under penalties of perjury).

These are just some examples. For more information on positions identified as frivolous under section 6702, see Notice 2010-33, 2010-17 I.R.B., April 26, 2010, pp. 609-12, which can be found on the Internal Revenue Service's website at [www.irs.gov](http://www.irs.gov) (See Notice 2010-33 at [http://www.irs.gov/irb/2010-17\\_IRB/ar13.html](http://www.irs.gov/irb/2010-17_IRB/ar13.html)). If you do not have a computer, you can access Notice 2010-33 in the Internal Revenue Bulletin (I.R.B.), which is the IRS's authoritative publication of rulings and statements of procedure. Consult a law library to obtain the I.R.B. You can find additional information in a publication titled The Truth About Frivolous Arguments, available on-line only at [http://www.irs.gov/pub/irs-utl/friv\\_tax.pdf](http://www.irs.gov/pub/irs-utl/friv_tax.pdf)

As stated above, we are proposing to assess a \$5,000 penalty against you for each frivolous tax return or purported tax return that you filed.

## WHAT YOU NEED TO DO

To avoid the penalty, send us a corrected return for each taxable period in the heading of this letter within 30 days of the date of this letter. If you send us corrected returns, we will disregard the previous documents that you filed and not assess the frivolous tax return penalty for each corrected return filed.

Please attach this letter to your corrected return(s) and mail to the address shown at the top of this letter. We have enclosed a copy of this letter for your records and an envelope for your convenience.

## WHAT IF YOU DO NOT SEND A CORRECTED RETURN?

If you do not file the corrected return(s) within 30 days of the date of this letter, or if you submit additional documents

# EXHIBIT A3 (CONT)

June 20, 2013 LTR 3176C 0

201212 30

Input Op: 00036870

JEFFREY D LINK

7608-2420

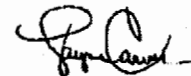
REFUSAL  
FOR  
CAUSE

asserting a frivolous position, we will assess the \$5,000 penalty for each frivolous tax return or purported return containing a frivolous position and send you a bill. If you filed a joint frivolous return, both you and your spouse will be assessed a \$5,000 penalty. We will not respond to any future correspondence asserting any frivolous position.

In addition, if we do not hear from you within the 30 day timeframe, we may issue a notice of deficiency for any taxes owed because of the frivolous submission or because of other items we may find during an examination. A notice of deficiency states the amount of additional tax and penalties you owe and explains your right to contest the deficiency by filing a petition with the United States Tax Court. The \$5,000 frivolous filing penalty is not included on the notice of deficiency and cannot be contested in the Tax Court.

We have enclosed Publication 2105, Why Do I Have to Pay Taxes?, which provides basic information about the tax system. We also encourage you to seek advice from a competent tax professional or a tax attorney qualified to practice in your state.

Sincerely yours,



Layne Carver  
Operations Mgr., Exam SC Support

Enclosure(s):  
Copy of this letter  
Publication 2105  
Envelope

## Part III. Administrative, Procedural, and Miscellaneous

### Frivolous Positions

#### Notice 2010-33

##### I. Purpose

Positions that are the same as or similar to the positions listed in this notice are identified as frivolous for purposes of the penalty for a "frivolous tax return" under section 6702(a) of the Internal Revenue Code and the penalty for a "specified frivolous submission" under section 6702(b). Persons who file a purported return of tax, including an original or amended return, based on one or more of these positions are subject to a penalty of \$5,000 if the purported return of tax does not contain information on which the substantial correctness of the self-assessed determination of tax may be judged or contains information that on its face indicates the self-assessed determination of tax is substantially incorrect. Likewise, persons who submit a "specified submission" (namely, a request for a collection due process hearing or an application for a installment agreement, offer-in-compromise, or taxpayer assistance order) based on one or more of the positions listed in this notice are subject to a penalty of \$5,000. The penalty may also be applied if the purported return or any portion of the specified submission is not based on a position set forth in this notice, yet reflects a desire to delay or impede the administration of Federal tax laws for purposes of section 6702(a)(2)(B) or 6702(b)(2)(A)(ii). The penalty will be imposed only when the frivolous position or desire to delay or impede the administration of Federal tax laws appears on the face of the return, purported return, or specified submission, including any attachments to the return or submission.

##### II. Background

Section 407 of Tax Relief and Health Care Act of 2006, Pub. L. No. 109-432, 120 Stat. 2922, 2960-62 (2006), amended section 6702 to increase the amount of the penalty for frivolous tax returns from \$500 to \$5,000 and to impose a penalty of \$5,000 on any person who submits a "specified frivolous submission." A sub-

mission is a "specified frivolous submission" if it is a "specified submission" (defined in section 6702(b)(2)(B) as a request for a hearing under section 6320 or 6330 or an application under section 6159, 7122 or 7811) and any portion of the submission (i) is based on a position identified by the Secretary as frivolous or (ii) reflects a desire to delay or impede administration of the Federal tax laws. Section 6702 was further amended to add a new subsection (c) requiring the Secretary to prescribe, and periodically revise, a list of positions identified as frivolous. Notice 2007-30, 2007-1 C.B. 883, contained the prescribed list. Notice 2007-30 was modified and superseded by Notice 2008-14, 2008-1 C.B. 310, which added frivolous positions to the prescribed list. This notice revises the list in Notice 2008-14 to add additional positions identified as frivolous. The positions that have been added are found in paragraphs 21, 22, and 27.

##### III. Discussion

Positions that are the same as or similar to the following are frivolous:

(1) Compliance with the Internal Revenue laws is voluntary, or optional and not required by law, including arguments that:

(a) Filing a Federal tax or information return or paying tax is purely voluntary under the law, or similar arguments described as frivolous in Rev. Rul. 2007-20, 2007-1 C.B. 863.

(b) Nothing in the Internal Revenue Code imposes a requirement to file a return or pay tax, or that a person is not required to file a tax return or pay a tax unless the Internal Revenue Service responds to the person's questions, correspondence, or a request to identify a provision in the Code requiring the filing of a return or the payment of tax.

(c) There is no legal requirement to file a Federal income tax return because the instructions to Forms 1040, 1040A, or 1040EZ or the Treasury regulations associated with the filing of the forms do not display an OMB control number as required by the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 *et seq.*, or similar arguments described as frivolous in Rev. Rul. 2006-21, 2006-1 C.B. 745.

(d) Because filing a tax return is not required by law, the Service must prepare a return for a taxpayer who does not file one in order to assess and collect tax.

(e) A taxpayer has an option under the law to file a document or set of documents in lieu of a return or elect to file a tax return reporting zero taxable income and zero tax liability even if the taxpayer received taxable income during the taxable period for which the return is filed, or similar arguments described as frivolous in Rev. Rul. 2004-34, 2004-1 C.B. 619.

(f) An employer is not legally obligated to withhold income or employment taxes on employees' wages.

(g) Only persons who have contracted with the government by applying for a governmental privilege or benefit, such as holding a Social Security number, are subject to tax, and those who have contracted with the government may choose to revoke the contract at will.

(h) A taxpayer may lawfully decline to pay taxes if the taxpayer disagrees with the government's use of tax revenues, or similar arguments described as frivolous in Rev. Rul. 2005-20, 2005-1 C.B. 821.

(i) An administrative summons issued by the Service is *per se* invalid and compliance with a summons is not legally required.

(2) The Internal Revenue Code is not law (or "positive law") or its provisions are ineffective or inoperative, including the sections imposing an income tax or requiring the filing of tax returns, because the provisions have not been implemented by regulations even though the provisions in question either (a) do not expressly require the Secretary to issue implementing regulations to become effective or (b) expressly require implementing regulations which have been issued.

(3) A taxpayer's income is excluded from taxation when the taxpayer rejects or renounces United States citizenship because the taxpayer is a citizen exclusively of a State (sometimes characterized as a "natural-born citizen" of a "sovereign state"), that is claimed to be a separate country or otherwise not subject to the laws of the United States. This position includes the argument that the United States does not include all or a part of

the physical territory of the 50 States and instead consists of only places such as the District of Columbia, Commonwealths and Territories (e.g., Puerto Rico), and Federal enclaves (e.g., Native American reservations and military installations), or similar arguments described as frivolous in Rev. Rul. 2004-28, 2004-1 C.B. 624, or Rev. Rul. 2007-22, 2007-1 C.B. 866.

(4) Wages, tips, and other compensation received for the performance of personal services are not taxable income or are offset by an equivalent deduction for the personal services rendered, including an argument that a taxpayer has a "claim of right" to exclude the cost or value of the taxpayer's labor from income or that taxpayers have a basis in their labor equal to the fair market value of the wages they receive, or similar arguments described as frivolous in Rev. Rul. 2004-29, 2004-1 C.B. 627, or Rev. Rul. 2007-1, 2007-1 C.B. 843.

(5) United States citizens and residents are not subject to tax on their wages or other income derived from sources within the United States, as only foreign-based income or income received by nonresident aliens and foreign corporations from sources within the United States is taxable, and similar arguments described as frivolous in Rev. Rul. 2004-30, 2004-1 C.B. 622.

(6) A taxpayer has been untaxed, de-taxed, or removed or redeemed from the Federal tax system though the taxpayer remains a United States citizen or resident, or similar arguments described as frivolous in Rev. Rul. 2004-31, 2004-1 C.B. 617.

(7) Only certain types of taxpayers are subject to income and employment taxes, such as employees of the Federal government, corporations, nonresident aliens, or residents of the District of Columbia or the Federal territories, or similar arguments described as frivolous in Rev. Rul. 2006-18, 2006-1 C.B. 743.

(8) Only certain types of income are taxable, for example, income that results from the sale of alcohol, tobacco, or firearms or from transactions or activities that take place in interstate commerce.

(9) Federal income taxes are unconstitutional or a taxpayer has a constitutional right not to comply with the Federal tax laws for one of the following reasons:

(a) The First Amendment permits a taxpayer to refuse to pay taxes based on religious or moral beliefs.

(b) A taxpayer may withhold payment of taxes or the filing of a tax return until the Service or other government entity responds to a First Amendment petition for redress of grievances.

(c) Mandatory compliance with, or enforcement of, the tax laws invades a taxpayer's right to privacy under the Fourth Amendment.

(d) The requirement to file a tax return is an unreasonable search and seizure contrary to the Fourth Amendment.

(e) Income taxation, tax withholding, or the assessment or collection of tax is a "taking" of property without due process of law or just compensation in violation of the Fifth Amendment.

(f) The Fifth Amendment privilege against self-incrimination grants taxpayers the right not to file returns or the right to withhold all financial information from the Service.

(g) The Ninth Amendment exempts those with religious or other objections to military spending from paying taxes, to the extent the taxes will be used for military spending.

(h) Mandatory or compelled compliance with the internal revenue laws is a form of involuntary servitude prohibited by the Thirteenth Amendment.

(i) Individuals may not be taxed unless they are "citizens" within the meaning of the Fourteenth Amendment.

(j) The Sixteenth Amendment was not ratified, has no effect, contradicts the Constitution as originally ratified, lacks an enabling clause, or does not authorize a non-apportioned direct income tax.

(k) Taxation of income attributed to a trust, which is a form of contract, violates the constitutional prohibition against impairment of contracts.

(l) Similar constitutional arguments described as frivolous in Rev. Rul. 2005-19, 2005-1 C.B. 819.

(10) A taxpayer is not a "person" within the meaning of section 7701(a)(14) or other provisions of the Internal Revenue Code, or similar arguments described as frivolous in Rev. Rul. 2007-22, 2007-1 C.B. 866.

(11) Only fiduciaries are taxpayers, or only persons with a fiduciary relationship to the United States are obligated to pay

taxes, and the United States or the Service must prove the fiduciary status or relationship.

(12) Federal Reserve Notes are not taxable income when paid to a taxpayer because they are not gold or silver and may not be redeemed for gold or silver.

(13) In a transaction using gold and silver coins the value of the coins is excluded from income or the amount realized in the transaction is the face value of the coins and not their fair market value for purposes of determining taxable income.

(14) A taxpayer who is employed on board a ship that provides meals at no cost to the taxpayer as part of the employment may claim a so-called "Mariner's Tax Deduction" (or the like) allowing the taxpayer to deduct from gross income the cost of the meals as an employee business expense.

(15) A taxpayer may purport to operate a home-based business as a basis to deduct as business expenses the taxpayer's personal expenses or the costs of maintaining the taxpayer's household when the maintenance items or amounts as reported do not correspond to a *bona fide* home business, such as when they are grossly excessive in relation to the conceivable costs for some portion of the home being used exclusively and regularly as a business, or similar arguments described as frivolous by Rev. Rul. 2004-32, 2004-1 C.B. 621.

(16) A "reparations" tax credit exists, including arguments that African-American taxpayers may claim a tax credit on their Federal income tax returns as reparations for slavery or other historical mistreatment, that Native Americans are entitled to an analogous credit (or are exempt from Federal income tax on the basis of a treaty), or similar arguments described as frivolous in Rev. Rul. 2004-33, 2004-1 C.B. 628, or Rev. Rul. 2006-20, 2006-1 C.B. 746.

(17) A Native American or other taxpayer who is not an employer engaged in a trade or business may nevertheless claim (for example, in an amount exceeding all reported income) the Indian Employment Credit under section 45A, which explicitly requires, among other criteria, that the taxpayer be an employer engaged in a trade or business to claim the credit.

(18) A taxpayer's wages are excluded from Social Security taxes if the taxpayer waives the right to receive Social Security benefits, or a taxpayer is entitled to a re-

# EXHIBIT A4 (CONT)

fund of, or may claim a charitable-contribution deduction for, the Social Security taxes that the taxpayer has paid, or similar arguments described as frivolous in Rev. Rul. 2005-17, 2005-1 C.B. 823.

(19) Taxpayers may reduce or eliminate their Federal tax liability by altering a tax return, including striking out the penalty-of-perjury declaration, or attaching documents to the return, such as a disclaimer of liability, or similar arguments described as frivolous in Rev. Rul. 2005-18, 2005-1 C.B. 817.

(20) A taxpayer is not obligated to pay income tax because the government has created an entity separate and distinct from the taxpayer—a "straw man"—that is distinguishable from the taxpayer by some variation of the taxpayer's name, and any tax obligations are exclusively those of the "straw man," or similar arguments described as frivolous in Rev. Rul. 2005-21, 2005-1 C.B. 822.

(21) A taxpayer may use a Form 1099-OID, *Original Issue Discount*, (or another Form 1099 Series information return) as a financial or other instrument to obtain or redeem (under a theory of "redemption" or "commercial redemption") a monetary payment out of the United States Treasury or for a refund of tax, such as by drawing on a "straw man" or similar financial account maintained by the government in the taxpayer's name (see paragraph (20), above); a taxpayer may file a Form 56, *Notice Concerning Fiduciary Relationship*, that names the Secretary of the Treasury or some other government employee as a fiduciary of the taxpayer and requires the Treasury Department to honor a Form 1099-OID as a financial or redemption instrument; or similar arguments described as frivolous in Rev. Rul. 2005-21, 2005-1 C.B. 822, and Rev. Rul. 2004-31, 2004-1 C.B. 617.

(22) A taxpayer may claim on an income tax return or purported return an amount of withheld income tax or other tax that is obviously false because it exceeds the taxpayer's income as reported on the return or is disproportionately high in comparison with the income reported on the return or information on supporting documents filed with the return (such as Form 1099 Series, Form W-2, or Form 2439, *Notice to Shareholder of Undistributed Long-Term Capital Gains*).

(23) Inserting the phrase "nunc pro tunc" on a return or other document filed with or submitted to the Service has a legal effect, such as reducing a taxpayer's tax liability, or similar arguments described as frivolous in Rev. Rul. 2006-17, 2006-1 C.B. 748.

(24) A taxpayer may avoid tax on income by attributing the income to a trust, including the argument that a taxpayer can put all of the taxpayer's assets into a trust to avoid income tax while still retaining substantial powers of ownership and control over those assets or that a taxpayer may claim an expense deduction for the income attributed to a trust, or similar arguments described as frivolous in Rev. Rul. 2006-17, 2006-1 C.B. 749.

(25) A taxpayer may lawfully avoid income tax by sending income offshore, including depositing income into a foreign bank account.

(26) A taxpayer can claim the section 14 Disabled Access Credit to reduce tax or generate a refund, for example, by purportedly having purchased equipment or services for an inflated price (which may or may not have been actually paid), even though it is apparent that the taxpayer did not operate a small business that purchased the equipment or services to comply with the requirements of the Americans with Disabilities Act.

(27) A taxpayer may claim a refund of tax based on purported advance payments to employees of the Earned Income Tax Credit as reported by the taxpayer on a filed Form 941, *Employer's Quarterly Federal Tax Return*, or other employment tax return that reports an amount of purported wages, tips, or other compensation but leaves other line items on the return blank (or with a zero as the amount).

(28) A taxpayer may claim the section 6421 fuels tax credit (such as on Form 4136, *Credit for Federal Tax Paid on Fuel*, Form 8849, *Claim for Refund of Excise Taxes*, or Form 1040) even though the taxpayer did not buy the gasoline or the gasoline was not used for an off-highway business use during the period for which the credit is claimed. Also, if the taxpayer claims an amount of credit that is so disproportionately excessive to any (including zero) business income reported on the taxpayer's income tax return as to be patently unallowable (e.g., a credit that is 150 percent of business income

reported on Form 1040) or facially reflects an impossible quantity of gasoline given the business use, if any, as reported by the taxpayer.

(29) A taxpayer is allowed to buy or sell the right to claim a child as a qualifying child for purposes of the Earned Income Tax Credit.

(30) An IRS Form 23C, *Assessment Certificate — Summary Record of Assessments*, is an invalid record of assessment for purposes of section 6203 and Treas. Reg. § 31.6203-1; the Form 23C must be personally signed by the Secretary of the Treasury for an assessment to be valid, the Service must provide a copy of the Form 23C to a taxpayer if requested before taking collection action, or similar arguments described as frivolous in Rev. Rul. 2007-21, 2007-1 C.B. 865.

(31) A tax assessment is invalid because the assessment was made from a section 6020(b) substitute for return, which is not a valid return.

(32) A statutory notice of deficiency is invalid because the taxpayer to whom the notice was sent did not file an income tax return reporting the deficiency or because the statutory notice of deficiency was unsigned or not signed by the Secretary of the Treasury or by someone with delegated authority.

(33) A Notice of Federal Tax Lien is invalid because it is not signed by a particular official (such as by the Secretary of the Treasury), or because it was filed by someone without delegated authority.

(34) The form or content of a Notice of Federal Tax Lien is controlled by or subject to a state or local law, and a Notice of Federal Tax Lien that does not comply in form or content with a state or local law is invalid.

(35) A collection due process notice under section 6320 or 6330 is invalid if it is not signed by the Secretary of the Treasury or other particular official, or if no certificate of assessment is attached.

(36) Verification under section 6330 that the requirements of any applicable law or administrative procedure have been met may only be based on one or more particular forms or documents (which must be in a certain format), such as a summary record of assessment, or that the particular forms or documents or the ones on which verification was actually determined must

# EXHIBIT A4 (CONT)

be provided to a taxpayer at a collection due process hearing.

(37) A Notice and Demand is invalid because it was not signed, was not on the correct form (e.g., a Form 17), or was not accompanied by a certificate of assessment when mailed.

(38) The United States Tax Court is an illegitimate court or does not, for any purported constitutional or other reason, have the authority to hear and decide matters within its jurisdiction.

(39) Federal courts may not enforce the internal revenue laws because their jurisdiction is limited to admiralty or maritime cases or issues.

(40) Revenue Officers are not authorized to issue levies or Notices of Federal Tax Lien or to seize property in satisfaction of unpaid taxes.

(41) A Service employee lacks the authority to carry out the employee's duties because the employee does not possess a certain type of identification or credential, for example, a pocket commission or a badge, or it is not in the correct form or on the right medium.

(42) A person may represent a taxpayer before the Service or in court proceedings even if the person does not have a power of attorney from the taxpayer, has not been enrolled to practice before the Service, or has not been admitted to practice before the court.

(43) A civil action to collect unpaid taxes or penalties must be personally authorized by the Secretary of the Treasury and the Attorney General.

(44) A taxpayer's income is not taxable if the taxpayer assigns or attributes the income to a religious organization (a "corporation sole" or ministerial trust) claimed to be tax-exempt under section 501(c)(3), or similar arguments described as frivolous in Rev. Rul. 2004-27, 2004-1 C.B. 625.

(45) The Service is not an agency of the United States government but rather a private-sector corporation or an agency of a State or Territory without authority to administer the internal revenue laws.

(46) Any position described as frivolous in any revenue ruling or other published guidance in existence when the return adopting the position is filed with or the specified submission adopting the position is submitted to the Service.

Returns or submissions that contain positions not listed above, which on their face

have no basis for validity in existing law, or which have been deemed frivolous in a published opinion of the United States Tax Court or other court of competent jurisdiction, may be determined to reflect a desire to delay or impede the administration of Federal tax laws and thereby subject to the \$5,000 penalty.

The list of frivolous positions above will be periodically revised as required by section 6702(c).

## IV. Effective Date

This notice is effective for submissions made and issues raised after April 7, 2010. For submissions made and issues raised between January 14, 2008 and April 7, 2010, Notice 2008-14 applies.

## V. Effect on Other Documents

Notice 2008-14 is modified and superseded.

## VI. Drafting Information

The principal author of this notice is Emily M. Lesniak, Office of the Associate Chief Counsel, Procedure and Administration. For further information, contact Emily M. Lesniak at 202-622-4940 (not a toll-free number).

## PFIC Shareholder Reporting Under New Section 1298(f) for Tax Years Beginning Before March 18, 2010

### Notice 2010-34

On March 18, 2010, President Obama signed the Hiring Incentives to Restore Employment Act of 2010 (the Act). The Act amends the Internal Revenue Code by adding a new § 1298(f). Section 1298(f) requires United States persons who are shareholders of a passive foreign investment company (PFIC) to file an annual report containing such information as the Secretary may require. Section 1298(f) is effective on the date of enactment.

The Internal Revenue Service is developing further guidance regarding the reporting obligations under § 1298(f). In the meantime, persons that were required to file Form 8621, *Return by a Shareholder of a Passive Foreign Investment Company or*

*a Qualified Electing Fund*, prior to the enactment of § 1298(f) must continue to file Form 8621 as provided in the Instructions to such form (e.g., upon disposition of stock of a PFIC, or with respect to a qualified electing fund under § 1293). Shareholders of a PFIC that were not otherwise required to file Form 8621 annually prior to March 18, 2010, will not be required to file an annual report as a result of the addition of § 1298(f) for taxable years beginning before March 18, 2010.

The principal author of this notice is Kristine A. Crabtree of the Office of Associate Chief Counsel (International). For further information regarding this notice, contact Susan E. Massey at (202) 622-3840 (not a toll-free call).

## Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates

### Notice 2010-36

This notice provides guidance as to the corporate bond weighted average interest rate and the permissible range of interest rates specified under § 412(b)(5)(B)(ii)(II) of the Internal Revenue Code as in effect for plan years beginning before 2008. It also provides guidance on the corporate bond monthly yield curve (and the corresponding spot segment rates), the 24-month average segment rates, and the funding transitional segment rates under § 430(h)(2). In addition, this notice provides guidance as to the interest rate on 30-year Treasury securities under § 417(e)(3)(A)(ii)(II) as in effect for plan years beginning before 2008, the 30-year Treasury weighted average rate under § 431(c)(6)(F)(ii)(I), and the minimum present value segment rates under § 417(e)(3)(D) as in effect for plan years beginning after 2007.

## CORPORATE BOND WEIGHTED AVERAGE INTEREST RATE

Sections 412(b)(5)(B)(ii) and 412(l)(7)(C)(i), as amended by the Pension Funding Equity Act of 2004 and by the Pension Protection Act of 2006 (PPA), provide that the interest rates used to calculate current liability and to determine the required contribution under § 412(l)



April 19, 2013

To: Office of the Treasury Inspector General  
for Tax Administration  
City Center Building  
c/o 1401 H Street, NW Suite 469  
city of Washington, District of Columbia. [20005]  
Attn: J. Russell George, as Inspector General

RE: [the] JEFFREY DAVID LINK  
SS#  
Calendar Years 2010 & 2011

Dear J. Russell George:

I am writing this letter with the express intent to help you settle the books in and for the account referenced above as I believe a mistake has been made. For the calendar years referenced above I have consistently made a demand for lawful money in accord with Title 12 U.S.C. §411. According to the information found at the Treasury website [www.treasury.gov/resource-center/faqs/Currency/Pages/legal-tender.aspx](http://www.treasury.gov/resource-center/faqs/Currency/Pages/legal-tender.aspx) it appears the Federal Reserve Note is a **dual-purpose note** – the **Federal Reserve Note** issued by the twelve Federal Reserve Banks, and the **United States Note** issued directly into circulation by the Treasury Department; and it appears the particular note being used is determined by either endorsement or non-endorsement of the note.

I began making my demand for lawful money by my own free will, act and deed once I realized I had choice. Ever since I began making my demand it is my express intent to provide documentation and reasoning for my actions so I can operate [the] JEFFREY DAVID LINK in an honorable way to help settle the account. It is my express intent to provide a tax filing each year to make my intent known and prove my demand since I presume absent proof of non-endorsement of the Federal Reserve System, your agency would likely presume I endorsed the Federal Reserve System and Fractional Reserve Banking. Since I have not been able to find a tax professional familiar with how to file a lawful money tax return I have done my best to submit a filing for each calendar year including partial examples for 2010 and full examples for 2011 to account for my demands. It has never been my intent to submit a "frivolous filing" and having read through the citations and case law I cannot find anywhere where making a demand for lawful money is considered "frivolous." And I certainly have never intended to delay or impede tax laws, since if that would have been my intent I most likely would not have submitted a filing at all.

Not to teach you the law, but the law I am following is found in Title 12 U.S.C. §411 (attached herein) which includes, "**Federal Reserve Notes**, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal Reserve agents as hereinafter set forth and for no other purpose, are authorized....They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve Bank," [Emphasis added], and

According to the US Supreme Court's interpretation of the Congress' definition from:

**US v Rickman**; 638 F.2d 182 – *In the exercise of that power Congress has declared that Federal Reserve Notes are legal tender and are redeemable in lawful money.* And,

**US v Ware**; 608 F.2d 400 – *United States notes shall be lawful money, and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt.* And,

Page 1 of 2



According to Title 31 U.S.C. §5115 – **United States currency notes: (b) The amount of United States currency notes outstanding and in circulation – (2) may not be held or used for a reserve.** United States currency notes it appears, unlike Federal Reserve Notes, cannot be used in fractional reserve banking. A strict reading of the revisions of Title 31 §5115 shows that the term United States Notes was revised to United States currency notes.

While I recognize that any intelligent attorney might try to twist my words, such that Federal Reserve Notes are lawful to use in the United States as a legal tender, Congress has maintained that United States Notes are Lawful Money within the United States and that Federal Reserve Notes are not Lawful Money. It is my express and implied intent to only handle lawful money. Promises to pay leaves a residual wherein the discharge or payment is just delayed to some future time. This seems repugnant to my beliefs. Also, it appears based on Title 12 U.S.C. §411 that anyone who uses Federal Reserve Notes is a Federal Reserve Bank or member bank. I choose to use United States Notes in the form of Federal Reserve Notes by making a demand for lawful money in accord with Title 12 U.S.C. §411.

See attached Exhibit A for a copy of Title 12 U.S.C. §411 for your contemplation and use and furthermore find attached examples of transactions for calendar year 2010 and 2011 with restrictive-endorsement marked exhibits B and C. I demand lawful money, therefore I believe I have fulfilled the law in love. Everyone makes mistakes and I feel that if I have made an error I want to correct it; however, I believe with my heart and mind that my intent is righteous and I want to be helpful to help settle the account in [the] JEFFREY DAVID LINK.

I am on Raleigh, North Carolina and would like to meet with a field agent to help settle the books for the account referenced above. If I can be helpful in any way please call me immediately at (919) 414-

**If this communication has been sent to you in error or if you are not the correct person to handle this matter, then please forward it to the proper person.** Thank you and I look forward to working with you to settle this issue.

Let the matter be established as I am called to be a witness to the glory of my God:

Deuteronomy 25:13 Thou shalt not have in thy bag divers weights, a great and a small.

Deuteronomy 25:14 Thou shalt not have in thine house divers measures, a great and a small.

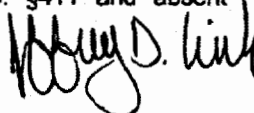
Deuteronomy 25:15 But thou shalt have a perfect and just weight, a perfect and just measure shalt thou have: that thy days may be lengthened in the land which the LORD thy God giveth thee.

Deuteronomy 25:16 For all that do such things, and all that do unrighteously, are an abomination unto the LORD thy God.

Lev 25:23 The land shall not be sold for ever: for the land is mine; for ye ~~are~~ strangers and sojourners with me.

As always thank you for your contemplation of these matters. I agree with Jefferson who said "All the Earth is held in Usufruct for the living." Let all the living in the Earth give praise unto God.

In the name of Yehoshua, son of Yehovah, my redeemer, my Savior and in whom I trust I am Jeffrey David acting in and for [the] JEFFREY DAVID LINK, and demand is made for lawful money per Title 12 U.S.C. §411 and absent accommodation and absent surety by:



Page 2 of 2

COPY

ROBERT C. "BAG" BOLINK El Paso County, CO  
02/05/2007 10:50:49 AM  
Doc: \$0.00 Page  
Rec: \$5.00 1 of 1 207015932

§ 295

TITLE 12—BANKS AND BANKING

Page 148

**ABOLITION OF HOME OWNERS' LOAN CORPORATION**

For dissolution and abolishment of Home Owners' Loan Corporation, referred to in this section, by act June 20, 1933, ch. 370, § 21, 47 Stat. 124, see note set out under section 1403 of this title.

§ 395. Federal reserve banks as depositories, custodians and fiscal agents for Commodity Credit Corporation

The Federal Reserve banks are authorized to act as depositories, custodians, and fiscal agents for the Commodity Credit Corporation.

(July 16, 1943, ch. 241, § 3, 57 Stat. 566.)

**TRANSFER OF FUNCTIONS**

Administration of program of Commodity Credit Corporation transferred to Secretary of Agriculture by Reorg. Plan No. 2 of 1945, § 101, eff. July 16, 1945, 11 F.R. 7877, 60 Stat. 1160. See Appendix to Title 5, Government Organization and Employees.

**EXCEPTIONS FROM TRANSFER OF FUNCTIONS**

Functions of Corporations of Department of Agriculture, boards of directors and officers of such corporations, Advisory Board of Commodity Credit Corporation, and Farm Credit Administration or any agency, officer or entity of, under, or subject to supervision of Administration were excepted from functions of officers, agencies, and employees transferred to Secretary of Agriculture by Reorg. Plan No. 2 of 1945, § 1, eff. June 4, 1945, 10 F.R. 3215, 57 Stat. 632, set out in the Appendix to Title 5, Government Organization and Employees.

**SUBCHAPTER XII—FEDERAL RESERVE NOTES**

§ 411. Issuance to reserve banks; nature of obligations; redemption

Federal reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System for the purpose of making advances to Federal reserve banks through the Federal reserve agents as hereinafter set forth and for no other purpose, are authorized. The said notes shall be obligations of the United States and shall be receivable by all national and member banks and Federal reserve banks and for all taxes, customs, and other public dues. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, District of Columbia, or at any Federal Reserve bank.

(Dec. 23, 1913, ch. 6, § 16 (par.), 38 Stat. 265; Jan. 30, 1934, ch. 6, § 2(b)(1), 48 Stat. 237; Aug. 23, 1935, ch. 614, title II, § 303(a), 49 Stat. 704.)

**REFERENCES IN TEXT**

Phrase "hereinafter set forth" in from section 16 of the Federal Reserve Act, act Dec. 23, 1913. Reference probably means as set forth in sections 17 et seq. of the Federal Reserve Act. For classification of these sections to the Code, see Tables.

**CODIFICATION**

Section is comprised of first par. of section 16 of act Dec. 23, 1913. Para. 2 to 4, 5, and 6, 7, 8 to 11, 12 and 14 of section 16, and para. 15 to 18 of section 16 as added June 21, 1917, ch. 22, § 8, 40 Stat. 331, are classified to sections 413 to 414, 415, 416, 418 to 421, 380, 242-1, and 407, respectively, of this title.

Par. 12 of section 16, formerly classified to section 423 of this title, was repealed by act June 20, 1934, ch. 754, § 1, 48 Stat. 1224.

**AMENDMENTS**

1934—Act Jan. 30, 1934, struck out from last sentence provision permitting redemption in gold.

**CHANGES OF NAME**

Section 303(a) of act Aug. 23, 1935, changed name of Federal Reserve Board to Board of Governors of the Federal Reserve System.

**CROSS REFERENCES**

Gold coinage discontinued, see section 5112 of Title 31, Money and Finance.

**SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 348, 420, 421, 407 of this title.

§ 412. Application for notes; collateral required

Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of sections 343 to 347, 347c, 347d, and 372 of this title, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of sections 348a and 353 to 359 of this title, or bankers' acceptances purchased under the provisions of said sections 348a and 353 to 359 of this title, or gold certificates, or Special Drawing Right certificates, or any obligations which are direct obligations of, or are fully guaranteed as to principal and interest by, the United States or any agency thereof, or assets that Federal Reserve banks may purchase or hold under sections 348a and 353 to 359 of this title. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it. Collateral shall not be required for Federal Reserve notes which are held in the vaults of Federal Reserve banks.

(Dec. 23, 1913, ch. 6, § 16 (par.), 38 Stat. 265; Sept. 7, 1914, ch. 461, 39 Stat. 754; June 21, 1917, ch. 22, § 7, 40 Stat. 328; Feb. 27, 1932, ch. 58, § 3, 47 Stat. 97; Feb. 3, 1933, ch. 24, 47 Stat. 794; Jan. 30, 1934, ch. 6, § 2(b)(2), 48 Stat. 238; Mar. 4, 1934, ch. 47, 48 Stat. 398; Aug. 23, 1935, ch. 614, title II, § 303(a), 49 Stat. 704; Mar. 1, 1937, ch. 28, 50 Stat. 23; June 20, 1939, ch. 256, 53 Stat. 991; June 30, 1941, ch. 264, 54 Stat. 305; May 25, 1942, ch. 102, 57 Stat. 85; June 12, 1945,

"EXHIBIT B"

THIS CHECK IS VOID WITHOUT THE SAFETY FEATURES LISTED ON THE BACK

Apply to account: 001

GUARDIAN CAPITAL ADVISORS LLC  
4601 SIX FORKS RD STE 503  
RALEIGH NC 27609

66-1235  
0531

2409103109

10005

DATE  
09/23/2010

\$5362.89

PAY  
TO  
THE  
ORDER  
OF

FIVE THOUSAND, THREE HUNDRED SIXTY-TWO DOLLARS AND 89/100

JEFFREY D. LINK

AMOUNT

\*\*\$5362.89

DEMAND IS MADE FOR  
LAWFUL MONEY IN ACCORD  
WITH TITLE 12 U.S.C.8411;

VOID AFTER 90 DAYS FROM ABOVE DATE

MEMO

GUARDIAN CAPITAL ADVISORS LLC

#10005# 0531123561

DEMAND IS MADE FOR  
LAWFUL MONEY IN ACCORD  
WITH TITLE 12 U.S.C.8411;

*Jeffrey D. Link*

"EXHIBIT C"

THIS CHECK IS VOID WITHOUT THE SAFETY FEATURES LISTED ON THE BACK

Apply to account: J1

GUARDIAN CAPITAL ADVISORS LLC  
3948 BROWNING PLACE STE 200  
RALEIGH NC 27609

66-1235  
0531

2604112259

10032

DATE  
04/26/2011

\$1117.93

PAY TO THE ORDER OF  
ONE THOUSAND, ONE HUNDRED SEVENTEEN DOLLARS AND 93/100  
JEFFREY D. LINK

AMOUNT

\*\*\$1117.93

DEMAND IS MADE FOR  
LAWFUL MONEY IN ACCORD  
WITH TITLE 12 U.S.C. § 411;

VOID AFTER 90 DAYS FROM ABOVE DATE

GUARDIAN CAPITAL ADVISORS LLC

MEMO

⑈10032⑈ ⑆053112356⑆

DEMAND IS MADE FOR  
LAWFUL MONEY IN ACCORD  
WITH TITLE 12 U.S.C. § 411;  
Jeffrey D. Link